

Chapter 173-350 WAC

Solid Waste Handling Standards

Rule Update

<http://www.ecy.wa.gov/programs/swfa/rules/ruleDev.html>



Rule Moratorium

- ▶ Governor's Executive Order 10-06
- ▶ Rules either on hold, go forward, "TBD"
- ▶ 173-350 was on Ecology's "TBD" list
- ▶ March 1: Director Sturdevant decided to proceed with WAC 173-350 compost issues based on:
 - input Ecology received
 - OFM exemption, criteria 3e

Compost Goes Forward

- ▶ Proceed with rule development related to composting, including the anaerobic digester exemption from RCW 70.95.330
- ▶ Delay sections unrelated to composting

Portion of Rule Proceeding

Scope

- Add anaerobic digester exemption RCW 70.95.330
- Explore exemptions to recycle more organics
- Address process and control requirements and definitions
- Ensure consistency with other rules/laws/policies
- Eliminate duplicative recordkeeping & reporting requirements
- Address composting odors, financial assurance and other composting-related issues

Rule-Making Schedule

Milestones	Date
CR-101 Filed: Pre-proposal Statement of Inquiry	May 2010
<u>Informal comment period # 1: Issue Identification</u> (Sept. – Nov. 2010)	* Fall/Winter 2010
<u>Public meetings on composting-related issues</u> March 16 (Everett) and March 22 (Yakima and video conference with Olympia and Spokane)	* Spring 2011
<u>Informal comment period #2: Draft rule</u> language available for review	* Summer 2011
CR-102 Filed: Proposed Rule & Public Hearings * preliminary cost benefit analysis (CBA, SBEIS)	TBD
CR-103 Filed: Rule-Making Order	TBD
Effective date of rule (after filing CR 103)	+31 days

← We are here

Chapter 173-351 WAC Criteria for Municipal Solid Waste Landfills

Draft language is still under review by EPA
technical staff and legal counsel

Why is –351 being revised?

- ▶ Gain full EPA delegation
 - ▶ Adopt 2004 federal rules for issuance of Research, Development and Demonstration (RD&D) permits
 - ▶ Bring state rule into full conformance with federal rule (40 CFR Part 258)
 - ▶ Transition from Chapter 173–304 WAC to Chapter 173–350 WAC
 - ▶ General housekeeping issues– new requirements, clarifications, typographical errors, & technical updates
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